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& SHOHL LLP

## FACSIMILE TRANSMITTAL

from JAMES E. BEYER

April 8, 2004

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## To:

Firm: US Patent and Trademark Office

Fax Number: 703-746-9195

Client Number: 40078.243

Pages: 4  
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## Comments:

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## Application of

Applicant : James E. Toney  
Serial No. : 10/658,105  
Filed : September 9, 2003  
Title : **MULTI-BARRIER PHOTONIC HETEROSTRUCTURES**  
Docket : BAT 0063 PA/40078.243

## Notice

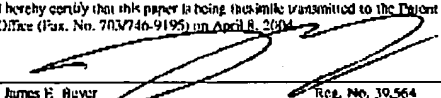
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Application of

Applicant : James E. Toney  
Serial No. : 10/658,105  
Filed : September 9, 2003  
Title : **MULTI-BARRIER PHOTONIC HETEROSTRUCTURES**  
Docket : BAT 0063 PA/40078.243

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Sir:

COMMUNICATION

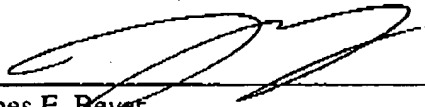
In reviewing the filing receipt for the above-identified application, it was noted that the Domestic Priority data as claimed by applicant is incorrect on the filing receipt. "This appln claims benefit of 60/409,334 09/09/2002 and claims benefit of 60/409,344 09/09/2002" should be --This appln claims benefit of 60/409,334 09/09/2002--. The correct Domestic Priority data as claimed by applicant is set out on the specification filed on September 9, 2003. Please note, a corrected Declaration and Power of Attorney will be filed to reflect the correct Domestic Priority.

Applicant respectfully requests that a corrected filing receipt accurately indicating the Domestic Priority data as claimed by applicant be issued and sent to the undersigned attorney.

Docket No. BAT 0063 PA/40078.243  
Serial No. 10/658,105

Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,  
DINSMORE & SHOHL LLP

By   
James E. Beyer  
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JEB/vlh  
Encl.



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/658,105	09/09/2003	2811	928	BAT 0063 PA/40078.243	4	54	7

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MAR 18 2004  
*and*  
CLD/DOCKETING

CONFIRMATION NO. 9951

## UPDATED FILING RECEIPT



\*OC000000012099760\*

Date Mailed: 03/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James E. Toney, Westerville, OH;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/409,334 09/09/2002

~~and claims benefit of 60/409,334 09/09/2002~~

## Foreign Applications

If Required, Foreign Filing License Granted: 12/01/2003

Projected Publication Date: 06/24/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Multi-barrier photonic heterostructure

## Preliminary Class